



## HECLA ADMINISTRATIVE RECORD

			RCRA ID	
		Document Description	90002	89848
I		<b>RCRA § 3013 Predecessor Documents</b>		
	B	<i>Documents in support of RCRA § 3013 Order (RCRA § 3008 Administrative Order on Consent; and Final Closure Plan approval)</i>		
		1 EPA NPDES Compliance Inspection, inspection date November 16, 1998;	P3-9	
		2 Request for Unique Laboratory Sample Analyses, ULSA No. U8-990011;	P1-6	
		3 EPA Letter to David Suhr, Hecla, dated Jan. 15, 1999, informally requesting information regarding the capped wastepile;	P3-1	
		4 Hecla letter to Linda Jacobson, EPA, responding to EPA informal information request, dated Feb. 12, 1999), and attachments A through T	P2-1- P2-21	
		5 EPA letter from Mel McCottry and Linda Meyer re Region 8 Laboratory Policy, dated Jan. 11, 1999;	P3-16	
		6 Hecla letter to Linda Jacobson, EPA, responding to Jan. 11 and June 1, 1999, information requests and attachments, dated June 30, 1999;	P1-9 - P1-11	
		7 Memo re Apex/Hecla Pond to Linda Jacobson, EPA, regarding analytical results for samples collected November 16-17, 1998, dated May 20, 1999;	P3-22	
		8 EPA Request for Information pursuant to RCRA § 3007 for the Hecla Pond, issued to David Suhr, dated June 1, 1999;	P3-3	
		9 Hecla letter to Linda Jacobson, EPA, regarding the Hecla tailing impoundment, received June 30, 1999.	P1-9	
	C	<i>Related Correspondence and Tribal/Federal Consultation Communications</i>		
		1 EPA letter to Chairman Rogers, Shivwits Band of Paiute Tribe, re RCRA and NPDES Inspections, dated Oct. 30, 1998;	P3-14	
		2 Linda Jacobson's meeting notes from meeting with Shivwits Band of Paiute, dated Nov. 15, 1998;	P1-4	
		3 EPA letter to Chairman Rogers, Shivwits Band of Paiute Tribe, re update on RCRA and NPDES Inspections, dated March 8, 1999;		P2-24
		4 EPA letter to Chairman Rogers, Shivwits Band of Paiute Tribe, re Notice of Proposed Enforcement Action Against Hecla Mining Company, dated Sept. 10, 1999;	L1-52	
	D	<i>Order Requiring Monitoring, Testing, Analysis and Reporting issued pursuant to RCRA § 3013 for the Hecla Pond, dated Sept. 22, 1999</i>		
	E	<i>Background Materials</i>		
		1 EPA Guidance "Nonferrous Metals Manufacturing Point Source Category Development Document Supplement for Secondary Tungsten and Cobalt Subcategory," May 1989;		P1-9
		2 "The Scope of the Bevill Exclusion for Mining Wastes," 24 ELR 10657, November 1994;	L1-32	
		3 EPA RCRA Enforcement Division document entitled "Estimating Costs for the Economic Benefits of RCRA Noncompliance," March 1997;		L1-1
		4 "Geologic Map of the Shivwits Quadrangle, Washington County, Utah," by Lehi Hintze and Becky Hammond, Utah Department of Natural Resources, 1994;	GR1-2	
		5 Hecla lease information, Exhibit A;		P1-1
		6 Surface Soil Assessment, Hecla Mining Company-Apex Unit, St. George, Utah, prepared by Kleinfelder, Inc., June 7, 1995;	P1-2	
		7 Preliminary Process Design for Treatment and Neutralization of Existing Solid and Liquid Wastes at the Apex Mine, prepared for Hecla Mining Company by Steffen Robertson and Kirsten, February 1989.	P3-10	
II		<b>RCRA § 3013 Work Plans and Final Closure Approval</b>		
	A	<i>Response to RCRA § 3013 Order and related inspection and sampling documentation</i>		
		1 EPA letter to John Galbavy, Hecla, re RCRA 3013 Order Informal Conference Call and Stay of Work Plan Submittal Deadline;	L1-26	
		2 Hecla response to RCRA § 3013 Order and Exhibits submitted by Davis, Graham and Stubbs on behalf of Hecla, including initial draft soil sampling and analysis work plan and leachate and run-off sampling and analysis work plans, Jan. 20, 2000;	L2-1	
		3 EPA NPDES Compliance Inspection report, inspection dated June 13, 2000;	P3-8	
		4 Comments on Hecla workplans provided by Mike Wireman, EPA, dated July 17, 2000;	L1-10	
		5 EPA letter to David Suhr, Hecla, re Comments on Soil Sampling and Analysis Work Plan and Leachate and Run-off Sampling and Analysis Work Plan, dated Aug. 2, 2000;	L1-18	

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	4 Hecla letter to Linda Jacobson, EPA, responding to EPA informal information request, dated Feb. 12, 1999), and attachments A through T	P2-1-P2-21	
	5 EPA letter from Mel McCottry and Linda Meyer re Region 8 Laboratory Policy, dated Jan. 11		
	6 Hecla letter to Linda Jacobson, EPA, responding to Jan. 11 and June 1, 1999, information request attachments, dated June 30, 1999;		
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C	<i>Related Correspondence and Tribal/Federal Consultation Communications</i>		
	1 EPA letter to Chairman Rogers, Shivwits Band of Paiute Tribe, re RCRA and NPDES Inspection, dated March 30, 1998;		
	2 Linda Jacobson's meeting notes from meeting with Shivwits Band of Paiute, dated Nov. 15, 1998;		
	3 EPA letter to Chairman Rogers, Shivwits Band of Paiute Tribe, re update on RCRA and NPDES Inspection, dated March 8, 1999;		
	4 EPA letter to Chairman Rogers, Shivwits Band of Paiute Tribe, re Notice of Proposed Enforcement Action Against Hecla Mining Company, dated Sept. 10, 1999;		
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	2 Hecla response to RCRA § 3013 Order and Exhibits submitted by Davis, Graham and Stubbs on behalf of Hecla, including initial draft soil sampling and analysis work plan and leachate and run-off sampling and analysis work plans, Jan. 20, 2000;	L2-1	
	3 EPA NPDES Compliance Inspection report, inspection dated June 13, 2000;	P3-8	
	4 Comments on Hecla workplans provided by Mike Wireman, EPA, dated July 17, 2000;	L1-10	
	5 EPA letter to David Suhr, Hecla, re Comments on Soil Sampling and Analysis Work Plan and Leachate and Run-off Sampling and Analysis Work Plan, dated Aug. 2, 2000;	L1-18	

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6		EPA letter to Gary Nelson, Hecla, re Attachment to Comments on Soil Sampling and Analysis Work Plan and Leachate and Run-off Sampling and Analysis Work Plan letter of Aug. 2, 2000, dated Aug. 17, 2000;	L1-19	
7		Letter from Davis, Graham and Stubbs to Sharon Kercher, EPA, re Hecla's response to EPA's comments on soil sampling and analysis work plan and leachate and run-off sampling and analysis work plan, including redrafts of plans submitted Jan. 20, 2000, dated Sept. 18, 2000;	P3-23 - P3-24	
8		EPA letter to John Jacus re EPA concerns with revised Soil Sampling and Analysis Work Plan and Leachate and Runoff Work Plan, dated Nov. 3, 2000;	L1-11	
9		Hecla letter from John Jacus to Lauren Buehler, EPA, responding to EPA electronic concerns, dated Nov. 13, 2000;	L1-50	
10		Hecla letter to Janice Pearson, EPA, re Hecla Mining Company, including Data Chem report pertaining to December 12, 2000, sampling event, dated Jan. 26, 2001;	O1-2, P4-1, P4-2	
11		Memo re Apex/Hecla Pond to Linda Jacobson, EPA, entitled "Summary of Events for Apex/Hecla Ponds from Nov. 1998," dated Jan. 31, 2001;	P3-15	
12		EPA letter to John Jacus re Hecla Mining Co., dated Feb. 1, 2001;	O1-3	
13		Hecla letter to Janice Pearson, EPA, re response to issues discussed during February 22, 2001 conference call, dated March 8, 2001;	O1-4	
14		Revised Soil Sampling and Analysis Work Plan prepared for Hecla by Shepherd Miller, June 22, 2001;	O1-6	
15		Internal EPA memo to Janice Pearson from Randy Breeden re revised Soil Sampling and Analysis Work Plan, dated July 12, 2001;	O2-6	
16		Internal EPA memo to Janice Pearson from Felix Flechas re revised Soil Sampling and Analysis Work Plan, dated July 30, 2001;	O2-7	
17		Electronic mail from Chris Gypton, Hecla, to Janice Pearson, EPA, re tentative August 14 <sup>th</sup> meeting on Apex site workplan;	O2-8	
18		Hecla letter to Janice Pearson, EPA, re Revised Soil Sampling and Analysis Workplan, with report, dated Aug. 31, 2001;	O2-9, O2-12	
19		EPA approval letter to Chris Gypton, Hecla, re Revised Soils Sampling and Analysis Workplan; Apex Site, dated Sept. 24, 2001;	O2-10	
20		Hecla Memo to Randall Breeden, EPA, re Results of October 2001 investigations; Apex Site Pond 2 soils Sampling and Analysis, dated Dec. 3, 2001;	O2-2	
21		EPA RCRA/NPDES Sampling Inspection Report, Hecla Mining Company, inspection date December 12, 2001;	P4-4	
22		EPA letter to John Jacus re Proposed RCRA 7003 Consent Order and Closure Work Plan, dated Feb. 12, 2002;	1023330	
23		EPA RCRA Compliance Evaluation Inspection Report, Hecla Mining Company, prepared by Eric Johnson, Sept. 18, 2002;		
24		EPA letter to John Jacus re review of Hecla comments on draft RCRA § 7003 Consent Order;	P4-18	
25		Hecla letter to Eric Johnson re Responses to EPA October 6, 2003 technical comments on Apex Site Pond 2 closure plan, dated Oct. 28, 2003;		L3-20
26		Letter from John Jacus to Amy Swanson, EPA, responding to EPA comments and revisions to draft RCRA § 7003 Consent Order, dated Nov. 24, 2003;		L3-21
27		EPA letter to John Jacus re Hecla's letter of Nov. 24, 2003 and draft RCRA 7003 Consent Order; dated Jan. 9, 2004;	1023331	
28		Hecla letter to Eric Johnson re Transmittal of Final Closure Plan, Hecla Mining Company Apex Site, with Final Engineering Report for Pond 2 Closure Plan Volumes 1 and II, dated April 2, 2004;		L3-23
29		EPA letter to Chris Gypton, Hecla, re Hecla Mining Company, Final Closure Work plan Approval. dated July 7, 2004.	B1-1, B1-2	B1-7
B		Workplan-related Correspondence		
1		Letter from John Jacus to Michael Risner, EPA, re Suspension of Due Date for Submission of Plans and Opportunity to Confer Under EPA Order, dated Oct. 26, 1999;	L1-53	
2		EPA letter to John Galbavy, Hecla, re RCRA § 3013 Order Informal Conference Call and Stay of Work Plan Submittal Deadline, dated Oct. 28, 1999;	L1-26	
3		EPA letter to John Jacus re Hecla Mining Co., Clarification of Work Plan Submittal Stay by EPA, dated Nov. 17, 1999;	1023332	

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	4	EPA letter to John Galbavy, Hecla, re: revised due date for work plan submittal, dated Nov. 24, 1999;	L1-26	
	5	Letter from Dean Miller, Davis, Graham & Stubbs, to Linda Jacobson, EPA, re Hecla's response to RCRA § 3013 Order, dated Feb. 22, 2000;	L1-36	
	6	EPA letter to John Jacus, dated Feb. 24, 2000;	L1-7	
	7	Letter from John Jacus to Lauren Buehler, EPA, dated March 16, 2000;	1023333	
	8	Letter from U.S. DOI re comments on characterization of Hecla Mining Company's Pond 2 (comments attached), dated March 17, 2000;	L1-43	
	9	EPA letter to John Jacus re Hecla Mining Company, dated March 28, 2000;	P1-19	
	10	Letter from John Jacus to Lauren Buehler, EPA, re response to March 28, 2000 letter, with attachments, dated April 24, 2000;	P1-21 - P1-26	
	11	EPA letter to David Suhr, Hecla, re comments on soil sampling and analysis work plan and leachate and run-off sampling and analysis work plan; dated Aug. 2, 2000;	L1-18	
	12	EPA letter to Gary Nelson, Hecla, re Attachment to comments on soil sampling and analysis work plan and leachate and run-off sampling and analysis work plan of August 2, 2000, dated Aug. 17, 2000;	L1-19	
	13	Letter from John Jacus to Linda Jacobson, EPA, re Hecla's designation of project coordinator, dated Aug. 31, 2000;	L1-56	
	14	Letter from John Jacus to Lauren Buehler, EPA, re Hecla Mining Company, dated Nov. 10, 2000;	L1-54	
	15	EPA letter to John Jacus re Hecla Mining Company, dated Jan. 25, 2001;	L1-51	
	16	Hecla letter to Janice Pearson, EPA, re relining of collection and evaporation ponds, dated May 16, 2001;	L1-57	
	17	Hecla letter to Janice Pearson, EPA, re soil sampling and analysis contractors, dated Sept. 5, 2001;	P4-3	
	18	Letter from John Jacus to Janice Pearson, EPA, re notice of change in project coordinator, dated Sept. 6, 2001;	GR2-1	
	19	EPA letter to Chris Gypton, Hecla, re EPA contact change dated April 17, 2002.	L1-59	
C		<i>Related Tribal/Federal Consultation Communications</i>		
	1	Letter from Dean Miller, Davis, Graham and Stubbs, to John Krause, BIA, re Hecla's response to EPA RCRA § 3013 Order relating to the Hecla pond, dated Feb. 3, 2000;	L1-30	
	2	EPA letter to John Krause, BIA, requesting comments on work plans for characterization pursuant to EPA's RCRA § 3013 Order, dated Feb. 16, 2000;	L1-34	
	3	EPA letter to Effie Delmar, BIA, requesting comments on work plans for characterization pursuant to EPA's RCRA § 3013 Order, dated Feb. 16, 2000;	L1-33	
	4	EPA letter to Betsy China, Shivwits Band of Paiute Environmental Director, requesting comments on work plans for characterization pursuant to EPA's RCRA § 3013 Order, dated Feb. 16, 2000;	L1-35	
	5	EPA letter to Chairman Glen Rogers, Shivwits Band of Paiute, requesting comments on work plans for characterization pursuant to EPA's RCRA § 3013 Order, dated Feb. 25, 2000;	L1-41	
	6	EPA letter to John Jacus re Hecla Mining Company, dated Jan. 25, 2001;	L1-51	
	7	EPA letter to Chairman Glenn Rogers, Shivwits Band of Paiute, re December 2000 sample results, dated May 7, 2001;	P5-10	
	8	EPA letter to Chairman Glenn Rogers, Shivwits Band of Paiute, re revised scope of work plans submitted per EPA's RCRA § 3013 Order; December 2000 sample results, dated June 13, 2001;	O1-5	
	9	EPA letter to Effie Delmar, BIA, requesting comments on the Soil Sampling and Analysis Work Plan submitted by Hecla pursuant to the RCRA § 3013 Order, dated July 16, 2001;	O2-3	
	10	EPA letter to Joe Souther, HKM Engineering (and environmental consultant to the Shivwits Band of Paiute) requesting comments on the Soil Sampling and Analysis Work Plan submitted by Hecla pursuant to the RCRA § 3013 Order, dated July 16, 2001;	O2-4	
	11	EPA letter to John Krause, BIA, requesting comments on the Soil Sampling and Analysis Work Plan submitted by Hecla pursuant to the RCRA § 3013 Order, dated July 16, 2001;	O2-5	
	12	EPA letter to Glenn Rogers, Chairman, Shivwits Band of Paiute, requesting comments on the Soil Sampling and Analysis Work Plan submitted by Hecla pursuant to the RCRA § 3013 Order, dated July 16, 2001;	1023334	

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13		Letter from John Jacus to Glenn Rogers, Shivwits Band of Paiute Chairman, and John Krause and Effie Delmar of BIA, transmitting the Revised Soil Sampling and Analysis Work Plan, dated Sept. 6, 2001;	L2-4	
14		Letter from Chris Gypton, Hecla, to Glenn Rogers, Shivwits Band of Paiute Chairman, and John Krause and Effie Delmar of BIA, notifying parties of intent to begin field activities, dated Sept. 19, 2001;	O2-17	
15		EPA letter to Glenn Rogers, Chairman, Shivwits Band of Paiute, re results of October 2001 Apex Site Pond 2 Investigation and Soils Sampling and Analysis, dated Jan. 16, 2002;	O2-1	
16		EPA letter to Tara Marlowe, Paiute Indian Tribe Environmental Director, re RCRA compliance evaluation report for OMG and Hecla, dated Oct. 27, 2003;		P5-37
17		EPA letter to Glenn Rogers, Chairman, Shivwits Band of Paiute, requesting concurrence or comments on Hecla Mining Company's Apex Site Pond 2 Closure Work Plan, dated May 28, 2004;		B1-6
18		EPA letter to Glenn Rogers, Chairman, Shivwits Band of Paiute, re RCRA inspection on the Paiute Indian Reservation, dated April 13, 2006.	P5-5	
D		File Notes		
	1	EPA notes, dated Sept. 7, 2000;	O2-11	
	2	EPA notes, dated February 22, 2001;	O2-14	
	3	EPA notes regarding groundwater, presumed date March 2001;	O2-16	
	4	EPA notes regarding germanium, dated Jan. 26, 1999	P1-13	
E		Post Work Plan Approval Communications		
	1	U.S. DOI letter to Eric Johnson, EPA, re concerns regarding the Hecla Mining Company Apex Site Pond 2 Closure Work Plan, dated June 10, 2004;		B1-9
	2	EPA letter to John Krause, BIA, re draft closure plan support documentation for Hecla Mining Company, dated June 24, 2004;		B1-10
	3	EPA letter to John Krause, BIA, re additional pre-decisional documents relating to Hecla's pond 2, dated June 28, 2004;		B1-11
	4	EPA letter to Barry Welch, BIA, responding to BIA's letter concerning Hecla Mining Company, dated July 15, 2004;		B1-4
	5	Summary of meeting notes prepared by Tara Marlow, Paiute Indian Tribe, of Hecla meeting, dated October 19, 2004;		B1-12
	6	EPA letter to Glenn Rogers, Chairman for the Shivwits Band of Paiute, re RCRA inspection of Hecla pond on the reservation, dated Oct. 20, 2004;	P5-3	
	7	EPA letter to Chris Gypton, Hecla, re Administrative Order on Consent for Pond 2 Final Closures-Apex site, dated Nov. 15, 2004;	L3-27	
	8	Letter to John Krause, BIA, from Ninyo and Moore, environmental consulting firm retained by ROS, dated Nov. 22, 2004		P5-49
	9	Internal memo from Randy Breeden RCRA, technical memo for the site visit to the Hecla impoundment, dated June 7, 2005;		P5-53
	10	U.S. DOI letter to Ann Robison, Hecla, re amendment to lease agreement providing for the use of real property for the storage of solid waste generated by Hecla Mining Company, dated July 12, 2005;		P5-41
	11	EPA letter to Glenn Rogers, Chairman, Shivwits Band of Paiute, re results of Hecla and OMG site visit, dated June 13, 2005;		P5-40
	12	Letter from John Jacus to Eric Johnson, EPA, re Notice of Force Majeure, dated July 19, 2005;		O3-34
	13	EPA letter to John Jacus approving of force majeure notice, dated Aug. 1, 2005;	L2-5	
	14	Letter from John Jacus to Bryan Bowker, U.S. DOI, BIA, re request for removal of waste at Apex Mine, dated Aug. 2, 2005;	O3-11	
	15	Letter from John Jacus to Eric Johnson, EPA, re Hecla Mining Company, dated Aug. 23, 2005;		O3-37
	16	U.S. DOI letter to John Jacus re storage of solid waste generated by the Hecla Mining Company, dated Aug. 25, 2005;		O3-38
	17	Letter from John Jacus to Eric Johnson, EPA, re notice of force majeure, dated Sept. 2, 2005;		O3-13
	18	Fax from Ninyo and Moore to Eric Johnson, EPA, dated Sept. 12, 2005;		P5-52
	19	EPA letter to Glenn Rogers, Chairman, Shivwits Band of Paiute, re Hecla Mining Company Pond 2 Off-site removal request, dated Sept. 26, 2005;		1023335

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		Letter from Ninyo and Moore dated January 12, 2006, faxed to Amy Swanson by John Krause of BIA on February 24, 2006, re proposal for scope modification to purchase order, soil and groundwater assessment;	1023336	
	20	EPA fax to John Krause, BIA, re 2/24/2006 request to participate in soil and groundwater assessment, dated March 9, 2006;		O3-40
	21	EPA letter to John Krause, BIA, re request for soil and groundwater assessment, Hecla Mining Company, dated March 20, 2006.	G1-1	
	22			
III		<b>RCRA § 7003 Administrative Order on Consent</b>		
	A	<i>Support/Background Documents</i>		
		EPA letter to John Jacus transmitting draft RCRA § 7003 Administrative Order on Consent, dated June 22, 2000;	L1-55	
	1			
		Letter from John Jacus to Sharon Kercher, EPA, re Hecla's comments on draft consent order, dated Aug. 31, 2000;	P3-5	
	2			
		EPA letter to John Jacus requesting comments on draft RCRA § 7003 Administrative Order on Consent, dated Aug. 28, 2003;	L2-2	
	3			
		Hecla letter from John Galbavy to Amy Swanson, EPA, re Hecla's comments on the draft consent order, dated Sept. 17, 2003;	1023337	
	4			
		EPA letter to John Jacus re review of Hecla comments on draft RCRA 7003 consent order, dated Oct. 6, 2003;		L3-20
	5			
		Letter from John Jacus to Amy Swanson, EPA, responding to EPA comments and revisions to draft RCRA 7003 consent order, dated Nov. 24, 2003;	1023338	
	6			
		7 EPA letter to John Jacus, transmitting final draft of RCRA 7003 consent order, dated March 23, 2004;		L3-24
	8			L3-25
		8 EPA letter to John Jacus, transmitting final draft RCRA 7003 consent order, dated July 15, 2004;		
	9			
		Hecla letter to Amy Swanson, EPA, providing originals of final RCRA 7003 consent order, dated Sept. 3, 2004;	1023339	
	9			
		EPA letter to Dean Miller providing two copies of the fully executed RCRA 7003 consent order, dated Nov. 24, 2004.		O3-25
	10			
	B	<i>RCRA § 7003 Consent Order</i>		
	C	<i>Related Tribal Consultation</i>		
		EPA letter to Glenn Rogers, Chairman, Shivwits Band of Paiute, providing notice of settlement with Hecla Mining Company, dated Sept. 20, 2004.		L3-26
	1			
IV		<b>Privileged Documents</b>		
	A	<i>Communication Strategy, prepared Sept. 1, 1999</i>		
	B	<i>Related Correspondence and Tribal/Federal Consultation Communications</i>		
		EPA letter to Chairman Rogers, Shivwits Band of Paiute Tribe re RCRA and NPDES Inspections, dated Oct. 30, 1998;		P1-13
		EPA Communication Strategy dated Sept. 1, 1999 (Privileged Communication/Enforcement Confidential).	R1-2	